

Appl. No. 10/624,738
Reply to Office Action of December 29, 2005

REMARKS

Claims 1-20 are pending in the application. Claims 1, 3, 5, and 19 have been amended. The Examiner has indicated that claims 5-7 would be allowable if rewritten in independent form. The Examiner has further indicated that claims 10-13 are allowable and that claims 14-18 are allowed. No new matter has been added by the above amendments. Reconsideration of the application in view of these amendments and the following remarks is requested. Those amendments and remarks are believed to be fully responsive to the Office Action mailed December 29, 2005 and to place the remaining claims in condition for allowance. The foregoing amendments are taken in the interest of expediting prosecution, and there is no intention of surrendering any range of equivalents to which Applicants would otherwise be entitled in view of the prior art.

OBJECTION TO THE DRAWINGS

The drawings were objected to for having numerical labels that are not in sequential order. Applicants' attorney has studied the MPEP, but has found no requirement that the numerical labels be in sequential order. If the Examiner can cite authority requiring such order, Applicants will amend the drawings. The Examiner's attention is drawn to the fact that amending the drawings as requested would also require extensive amendment to the specification as the numbers in, at least, paragraphs [0015] to [0022] would have to be changed.

CLAIM REJECTIONS – 35 USC § 112

The Office Action states that claim 12 is rejected under 35 U.S.C. § 112, but Applicants' attorney believes this should be claims 1 and 2 and will so respond. The Office Action states that "adaptively settable" is indefinite. This rejection is believed overcome by the amendment to independent claim 1 in which "adaptively settable in response to..." is replaced by the definite "configured to count down from a time limit set in response to...."

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CLAIM REJECTIONS – 35 USC § 102

Claims 3, 4, 8, and 9 were rejected under 35 U.S.C. § 102(b) over Kusunoki (US 5,912,631). This rejection is believed overcome by the amendment to claim 3 and the following remarks. As amended, claim 3 recites a method that includes the steps of storing a history of vehicle door openings and closings and updating the stored history. Neither step is disclosed or suggested by Kusunoki. The method disclosed by Kusunoki monitors only the immediate issue of whether the trunk is open or not. The Kusunoki method is not concerned with any past history. The timer is not set in response to storing a history. Accordingly, claim 3 is not anticipated by the Kusunoki teaching. Claims 4, 8, and 9 all depend from independent claim 3 and therefore distinguish over the Kusunoki teaching for at least the same reasons as does claim 3.

CLAIM REJECTIONS – 35 USC § 103

Claims 1, 2, 19 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable in view of Kusunoki taken together with Harrison et al. (US 2001/0047244A1). This rejection is believed to be in error for at least the following reasons. As noted by the Examiner, Kusunoki fails to disclose or suggest a system that stores a history and that has a timer that sets a time limit in response to the stored history as claimed in claims 1 and 2. The system disclosed by Kusunoki is not concerned with history, but only with the immediate issue of whether the trunk is open or not. Although the Harrison reference discloses a system that records history of door openings, it is not relevant to the system of Kusunoki because Kusunoki does not use historical data. The system of Harrison is not concerned with locking doors or with setting a time limit based on door openings or any other historical data.

In regard to amended claim 19 (and claim 20 dependent from claim 19), the combination of references fails to disclose or suggest a system including a memory configured to store a history of door opening and closing sequences including duration of door opening as presently claimed. Further, the combination of references fails to disclose or suggest a system that includes an adaptive delay timer configured to count down from an adaptive delay time in response to the stored history as claimed.

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Accordingly, claims 1, 2, 19, and 20 are not obvious in view of Kusunoki and Harrison taken either alone or in combination.

ALLOWABLE SUBJECT MATTER

Claims 5-7 were objected to as being dependent from a rejected base claim, but were deemed allowable if rewritten in independent form. Claim 5 has been so rewritten and is therefore believed to be in condition for allowance. Claims 6 and 7 depend from claim 5 and hence are also believed to be in condition for allowance.

ALLOWED CLAIMS

Claims 10-13 were noted to be allowable and claims 14-18 were noted to be allowed.

ART CITED BUT NOT APPLIED

The art cited but not applied (Yamasaki, Segawa, Aoki, Fukumura, and Mochida) have been carefully reviewed, but are not believed to be relevant to the invention as claimed.

CONCLUSION

In view of the foregoing amendment and remarks, claims 1-20 of the present invention are believed to distinguish over the cited art and to be in condition for allowance. Such allowance is therefore earnestly requested.

After entry of these amendments, all claims now presently in the application are believed allowable over the prior art cited, and such allowance is respectfully requested. Should the Examiner have any questions or wish to further discuss this application, Applicants request that the Examiner contact the undersigned attorney.

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If for some reason Applicants have not requested a sufficient extension and/or has not paid a sufficient fee for this response and/or for the extension necessary to prevent abandonment on this application, please consider this as a request for an extension for the required time period and/or authorization to charge Deposit Account No. 07-0960 for any fee which may be due.

Respectfully submitted,



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